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Part X

Department of Transportation

Coast Guard

Navigation Safety; Proposed Rules

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 164]

Navigation Safety Regulations

AGENCY: U.S. Coast Guard, DOT.

ACTION: Proposed Rules.

SUMMARY: "Navigation Safety Regulations" were published as a final rule. One section of that rule prescribed certain requirements for navigating a vessel in "confined or congested waters". The preamble to the rule explained that a list of areas to be designated as "confined or congested" was under development and would be published as a notice of proposed rulemaking upon completion. The preamble also stated that the requirements would not be enforced until the list of "confined or congested waters" was published as a final rule. This proposal contains that list.

DATES: Written comments must be received on or before June 1, 1979.

ADDRESSES: Comments should be submitted to the Commandant (G–CMC/81), (CGD 77–196), U.S. Coast Guard, Washington, D.C. 20590. Comments will be available for examination at the Marine Safety Council (G–CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Mr. Chris Llana, Office of Marine Environment and Systems (G–WLE–4/73), Room 7315, Department of Transportation, Nassif Building, Washington, D.C. 20590, 202–426–4958.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written data, views or arguments. Written comments should include the docket number (CGD 77–196), the name and address of the person submitting the comments, and the specific section of the proposal to which each comment is addressed. All comments received will be considered before final action is taken on this proposal. No hearings are contemplated, but one or more may be held at times and places set out in a later notice in the **Federal Register**, if requested by a person or organization desiring to comment orally at a public hearing and raising a genuine issue.

Drafting Information

The principal persons involved in drafting this proposal are Chris Llana, Project Manager, Office of Marine Environment and Systems, and Michael Mervin, Project Attorney, Office of Chief Counsel.

Discussion of Proposed Regulations

"Navigation Safety Regulations" (33 CFR Part 164) were published in the **Federal Register** as a final rule on January 31, 1977 (42 FR 5956). They require, among other things, that certain precautions be taken when navigating in "confined or congested waters". The preamble to that rule reads in part:

> Section 164.15 *Navigation underway: confined or congested waters* and Section 164.16 *List of confined or congested waters.* These are special rules for the hazards of navigation in confined or congested waters. The substantive rules in § 164.15 are promulgated in this final rule as discussed in this preamble. The practical application of § 164.15, however, will not occur until specific geographic areas in which they would apply are included under § 164.16. The definition of "confined or congested waters," as requested by nine commenters, would be implicit in the naming of those waters. Those waters would be particularly hazardous because of restricted maneuvering room or a high volume of vessel traffic. The Coast Guard will conduct separate rulemaking actions for the listing of specific waters under § 164.16.

A prudent mariner, when navigating with limited maneuvering room or in dense traffic, routinely takes the extra precautions listed in § 164.15. Therefore, the regulations impose no additional burden on the vast majority of mariners. It is those few who are less than prudent who will feel the impact of the rules.

For regulatory purposes, it is necessary to determine very clearly the especially hazardous areas in which the requirements of § 164.15 apply. The development of § 164.16, list of confined or congested waters, was begun in March of 1977. Each Coast Guard District Commander was directed to submit to the Commandant a list of waters in his district that he proposes for includion into the category of "confined or congested," especially hazardous areas. Factors to be considered included: "density of vessel traffic; dimensions and configuration of channels; hazards to navigation; presence of structures; location of anchorages; excessive currents; and any other hazard which requires increased precaution to ensure safe navigation of vessels in the area." Only those waters which fell clearly within this category were to be listed.

The district commanders were further directed to consult the local public to the maximum possible extent, considering time constraints. Although this is not required at the conceptual stage of regulation development, it was felt that a better proposal would result from a more broadly-based sampling of viewpoints than was possible within the Coast Guard. This was accomplished in varying ways in the various districts, but the resulting recommendation reflected a wide range of interests and a good depth of local knowledge.

The lists submitted by the district commanders were reviewed at Coast Guard Headquarters to standardize format and "philosophy" and to ensure that only those areas be included which could be amply justified. A consolidated listing was prepared and again returned to the district commanders for their review. This notice of proposed rulemaking, accordingly, contain only areas which have survived a multi-step review process and represents the best thinking of a large number of very knowledgeable contributors.

The proposed list is arranged by Coast Guard District. The geographic order is from north to south on the Atlantic coast and south to north on the Pacific, followed by Hawaii and Alaska. The following is a descriptive list of the waters proposed for determination as "confined or congested," especially hazardous areas, with the reasons for each proposal.

First Coast Guard District

Penobscot Bay, Maine, has restricted maneuvering room for larger vessels due to many small islands, shoals, ledges and narrow channels. Approximately 50 large commercial vessels transit the area each month, plus numerous fishing vessels, lobster boats, private craft and a ferry service.

The waters of Casco Bay and the Kennebec River contain many small islands, rock ledges and narrow channels. An average of about 80 tankers and cargo vessels arrive at Portland each month and the Bath Iron Works shipyard attracts some large vessels. The many fishing and lobster boats, small passenger vessels and pleasure craft create a high traffic volume in an area with restricted maneuvering ability.

Portsmouth, N.H., harbor and the Piscataqua River have restricted maneuvering room and the river has currents of up to five knots. Approximately 20 large commercial vessels, including LNG tankers, oil tankers, general cargo vessels, and numerous small passenger vessels, fishing vessels, lobster boats and pleasure craft, use the port each month.

The waters of Massachusetts Bay leading to the ports of Gloucester, Salem

and Boston comprise a major shipping route with narrow channels and numerous natural obstructions. The mix of traffic is diverse, ranging from fishing vessels and pleasure craft through large LNG and petroleum tankers. The port of Boston alone handled over 26 million tons of cargo and 725,000 passengers in F.Y. 1976.

Navigation of the Cape Cod Canal, Massachusetts, is restricted by the channel width (145 m.) and bends, strong tidal currents and frequently poor visibility. The canal is a main route for coasting vessels and handled 51,189 transits in calendar year 1976, 30,092 of which were commercial vessels. Buzzards Bay is a convergence area for canal traffic. Moreover, it handles heavy local traffic including fishing vessels from New Bedford and Fairhaven and, in season, many recreational vessels.

Lower Narragansett Bay has many anchorages, moderate commercial and some Navy and Coast Guard traffic. Numerous recreational vessels complicate the maneuvering problem in season. Channels in Mt. Hope and Upper Narragansett Bays are narrow (120–180 m.) and have limited controlling depths (Mt. Hope: 8–10 m.; Upper Narragansett: 10 m.).

Third Coast Guard District

Eastern Long Island Sound is a heavily traveled waterway with strong currents and shoals. The Thames River is a relatively narrow, (60–90 m. channel), twisting waterway with rocky shoals along the channel. A large smallboat population shares the river with petroleum and bulk dangerous cargo vessels and with relatively unmaneuverable submarines proceeding to and from the naval base at Groton. The Connecticut River has narrow (45 m.), winding channels with shifting shoals. Strong currents, changing bottom configuration and frequently reduced visibility make navigation difficult.

New Haven and Bridgeport Harbors share similar problems. The relatively high volume of commercial traffic competes for space with many small craft. Narrow channels (21 m. minimum), strong currents, bridges and often reduced visibility complicate safe navigation.

Port Jefferson handled 14 tankers and 115 barges carrying petroleum products during the third quarter of 1977. The narrow (90 m.) channel and heavy small boat traffic in season makes maneuvering difficult.

New York Harbor and its environs are among the most heavily traveled waterways in the country with over 1000 vessel movements daily. Furthermore, many of the channels are quite narrow (90 m.) and twisting with blind corners and bends. Traffic is composed of every sort of waterborne craft from rowboats to the largest bulk and container ships, many carrying hazardous cargos.

The upper Hudson River, although not heavily traveled, is very narrow (60 m. minimum channel width) with several severe, blind bends. Vessels must be under positive control throughout the length.

The Delaware River and Bay, and the Schuylkill River are all areas used by very large vessels. Also many harbor craft use these channels as do recreational vessels during the summer particularly. The waterway is very narrow (60 m. minimum), twisting and subject to shifting currents and bars. The narrowness and complexity of the transit that large vessels must make require that they be under positive and effective control.

Fifth Coast Guard District

The waters of the Chesapeake Bay north of Thomas Point Light contain numerous restrictions to navigation. Common to this whole area is a large volume of vessel traffic and channel limitations. Large vessels negotiating the approach to the Chesapeake Bay Bridges are restricted by controlling depths of about 15 meters and must also remain clear of vessels entering or leaving the Severn River and the numerous vessels at anchor, as well as the bridges themselves. Baltimore Harbor is a large loading, discharge, and transhipment port, having vessels of all sizes and types in all conditions of load transiting or standing at anchor throughout. Deep draft vessels are especially constrained in Baltimore Harbor and in the Chesapeake and Delaware Canal by narrow dredged channels.

The waters of Chesapeake Bay east of Windmill Point, Virginia, are relatively shallow compared to the project depth for the Chesapeake Bay channels. Several isolated, unmarked, submerged obstructions are also located in this area. Deep-draft vessels passing through the area are restricted to the relatively narrow Rappahannock Shoal Channel.

The waters of lower Chesapeake Bay in the vincinity of the Chesapeake Bay Bridge Tunnel are currently designated as a regulated navigation area for the purpose of protecting the Chesapeake Bay Bridge Tunnel from accidental damage from vessels losing control and colliding with it, or otherwise causing damage to it, or obstructing the navigability of the tunnel openings.

The York River, Virginia, constitutes a unique port area. Common to this area is a large volume of naval vessel traffic and frequent tank barge and crude oil tankship traffic. In addition to maneuvering in relation to each other, much of this vessel traffic must negotiate passage through the Coleman Memorial Swing Bridge.

The Hampton Roads, Virginia, port complex is used for loading, discharge, and transhipment, and has vessels of all sizes and types in all conditions of load transiting or standing at anchor throughout. The port complex contains channel restrictions to deep draft vessels, a large volume of ship traffic, and a complex pattern of vessel movements. The Elizabeth River is a heavily trafficked industrial waterway with substantial reductions in width (minimum 45 m.) occurring at frequent intervals due to the requirements of the facilities along shorelines. There also exists a complex traffic pattern at the junction of the river with its two branches.

Morehead City Harbor, North Carolina, is characterized by controlling depths of about 9 meters, varying narrow channel widths (60 m. minimum), shoaling, critical turns, and strong tidal currents.

The waters of the Cape Fear River and Beaufort Inlet, North Carolina, are characterized by controlling depths of about 11.5 meters, numerous turns, shoaling, and varying channel widths (120 m. minimum). In addition, the swift current of the Cape Fear River poses an additional challenge to the mariner. Successful transit of these waters requires competent and cautious navigation to avoid collision or grounding.

Seventh Coast Guard District

Winyah Bay Entrance Channel is a narrow and confined (90 to 180 m.) semi-protected channel. Maneuverability is restricted by the width of the ship channel, its current of two knots, and the large number of pleasure and commercial fishing vessels that transit this waterway.

The entrance channel to Charleston Harbor is protected by the north and south jetties. Rotary tidal currents with velocities of one knot exist off the entrance to the harbor. The harbor is characterized by shifting bottom depths due to heavy siltation and dredging. There are 64 U.S. Naval vessels homeported in Charleston. The Navy reported 5299 moves of navy vessels in and out of and within Charleston Harbor in 1976. Additionally, there were

4030 similar moves by 1450 commercial vessels in that year.

The Cooper River has short channel reaches and sharp bends causing adverse currents and eddies. This creates a hazard with the high volume of commercial and naval vessel traffic that utilize this waterway.

The Ashley River follows a winding course and at the Ashley River Bridges, maneuvering is restricted. The channel is about 90 meters wide.

The Wando River is a meandering river with adverse currents and sharp bends.

The approach to Port Royal Sound is a narrow, unprotected channel with shoals to either side. Maneuverability is restricted by the width (90–150 m.) of the ship channel, its current of 1.6 knots, and the large number of fishing vessels that utilize this waterway.

The Tybee Roads Channel approach to the Savannah River is unprotected and shoals line both sides of the channel. The river is confined due to its narrow width (120 m.), and a current of two knots restricts maneuverability. There is a high volume of commercial fishing vessels that utilize the Savannah River.

The Bar Channel approach to St. Simons Sound and Brunswick River is a narrow, confined, unprotected channel, with shoals on both sides of the channel. Maneuverability is restricted due to the channel's width (150 m.), the 1.9 knot current, and the large number of fishing vessels that utilize these waterways.

St. Mary's Entrance has a narrow (120 m.) main ship channel with shoals on both sides of the channel and a current of 2.6 knots. The facilities at Kings Bay are designed for explosive cargo handling for both commercial and military vessels. The main ship channel through Cumberland Sound to Kings Bay is part of the Intracoastal Waterway System for a distance of five miles, and is 60 meters wide. The large number of pleasure craft that utilizes the Intracoastal Waterway System throughout the year increases the congestion on these waterways.

The entrance channel to the St. Johns River and Mayport Basin is short and semi-protected by north and south jetties with a 2.3 knot current. Jacksonville is the largest deep water port on the East Coast of the United States; therefore, there is a very high volume of commercial traffic. Also, Mayport Basin is the home port of a large number of naval vesels. The Intracoastal Waterway traverses the St. Johns River, with many resort areas along its banks increasing pleasure boat traffic.

The entrance to Canaveral Harbor is unprotected with Southeast Shoal to the north of the approach channel. The main ship channel is narrow and confined with a 30° turn at Lighted Buoy "10". A 27 x 180 meter lock is located at the western end of the harbor area that is an important factor to the Intracoastal Waterway barge traffic. Whenever space vehicles are to be launched the area in and around Cape Canaveral becomes congested with pleasure craft.

At Fort Pierce Harbor, the controlling depth of the entrance and inner channel is 7.5 meters. The width of the inlet varies from 115 meters to 70 meters. The tidal current in the inlet has a velocity of about 3 knots. There are a number of shoals and wrecks in the approaches to the harbor; most of them are marked.

Going into the Port of Palm Beach, the controlling depth of the entrance and inner channel is from 10 to 11 meters. The width of the inlet varies from 90 to 150 meters. The current velocity is 2.4 knots on the flood and 3.6 knots on the ebb. A reef in the form of a ridge with scattered boulders extends for about 275 meters eastward of Peanut Island. The reef has a minimum depth of about 1 meter.

The entrance channel to Port Everglades is 150 meters wide and 12 meters deep converging at the jetties to a 90 meter wide channel, 11 meters deep, leading to a turning basin 11 meters deep. The tidal currents in the entrance average about 1 knot. There is heavy small craft traffic. Two submerged breakwaters extending almost 0.7 mile offshore on either side of the entrance are unmarked. A large spoil area north of the entrance channel has very little water on it and at times appears above the water as an island.

The Miami Harbor entrance channel and Government Cut are narrow (120–150 m.) dredged channels with coral shoals on both sides and currents up to 3 knots. Congestion results from the large number of commercial and pleasure vessels that use the channels. The Miami River channel is 27 meters wide with a controlling depth of 3 meters. Large vessels require tug assistance to navigate this river due to the narrow channel and numerous drawbridge spans.

The approach channel and Key West Harbor itself are considered confined and congested due to the channel's narrow width (90 m.), coral shoals, and the large number of fishing vessels that utilize these waterways. The area is unprotected thus restricting the maneuverability because of the wind and adverse currents.

The general layout and traffic density of San Juan Harbor demand greater safety precautions. The harbor entrance channel is narrow with a blind turn. Deep draft vessels must remain within the channel confines during navigation, and anchorage areas are insufficient. Approximately 4100 cargo vessels enter the port annually. A fairly large percentage carry liquid and packaged dangerous cargo. Passenger vessels make a total of 2236 harbor transits each year. The traffic problem is compounded by 150 ferry transits and 12 seaplane movements daily.

Bahia de Mayaguez has shoals extending across the entrance which protect the 3.8 mile-wide bay. The shipping terminal is in the northern part of the bay with depths of 9 to 18 meters, but the southern part is shoal.

Bahia de Guayanilla and Bahia de Tallaboa: only two tugs are available to assist the vessel and barge traffic serving CORCO, PPG, Puerto Rico Olefins, Oxochem, Puerto Rico Chemicals, Texaco, and Shell. The deficiency in maneuverability resulting from inadequate tug assistance causes the area to be effectively more confined. The area is the major chemical port area in Puerto Rico and almost 3 million tons of vinyl chloride, cyclohexane, benzene, toluene, and other chemicals transit the area annually.

Bahia de Ponce is the most important commercial harbor on the southern coast of Puerto Rico. The harbor is protected from the prevailing easterly trade winds by Panta Fenoncillo and Isla de Gata with their surrounding reefs, but it is exposed to the south causing a swell at time in the anchorage. The port facilities are in the eastern part of the 3.5 mile-wide bay, which is surrounded by shoals and reefs; the northern part of the bay shoals to less than 5.5 meters within 0.4 mile of the shore in places.

The port of St. Thomas, U.S. Virgin Islands, is considered congested due to the large number of pleasure boats which restrict the maneuverability of the commercial cruise ships that regularly visit the port.

The entrance to Christiansted Harbor is through a crooked dredged marked channel with a controlling depth of 4.3 meters. Shoaling has occured close to the edges of the marked channel and extreme caution is advised in transiting it.

Limetree Bay, St. Croix, U.S. Virgin Islands, is the site of the largest petrochemical refinery in the Western Hemisphere. Three VLCCs are laid up within the confined and restricted harbor. Supertankers regularly navigate

the extremely narrow harbor entrance channel (45 m.). Over 256 million barrels of oil annually are handled and shipped by Hess Oil on Limetree Bay. The facility has plans for expansion in the near future including the construction of a roll on/roll off container facility and establishment of an offshore oil unloading terminal in line with the harbor entrance channel.

The approach to Charlotte Harbor, Baco Grande, Florida, is a narrow and unprotected channel with shoals to either side. Maneuverability is restricted due to a large volume of pleasure boat traffic.

The entrance to Tampa Bay has a current of 1.9 knots with a high volume of power and sail pleasure craft. Farther into Tampa Bay the main ship channels have a width of 120 meters with shallow water to either side of the channels, which restricts maneuverability. The ship channels are being dredged on a continual basis. The Port of Tampa has an extremely high volume of commercial traffic.

Eighth Coast Guard District

Pensacola has vessel traffic congestion, particularly at the intersection of the Intracoastal Waterway and the southern portion of Pensacola Bay. Pleasure and fishing vessels are numerous in the area. A 245 meter wide channel at the entrance narrowing to 90 meters at the Pensacola Bay Channel and the extremely close proximity of shoal water in association with several course changes in the channels make extreme caution necessary for safe navigation in this area.

Mobile Channel has heavy vessel traffic congestion, particularly at the intersection of the Intracoastal waterway and the Lower Reach of the Mobile Channel. Pleasure and fishing vessels are numerous in the area. Excessive and reversing east-west currents make the 90 meter channel even more treacherous. Shoal waters are also numerous in the area.

Pascagoula and Bayou Cassotte are subject to vessel traffic congestion, particularly at the intersection of the Intracoastal Waterway and the Pascagoula Channel. Pleasure and fishing vessels are numerous in the area. The channel is 90 meters wide at the entrance narrowing to 70 meters at the Bayou Cassotte approach channel with much nearby shoal water. The configuration of the channels leading into the Pascagoula River is such that upwards of five course changes are required in 11.5 miles. There are abnormal and reversing east-west currents in the area approaching Horn and Petit Bois Islands and at the intersection of the Intracoastal Waterway. Explosive anchorages are located in close proximity to the channels as are dredging range structures and fixed aids to navigation.

The Mississippi River Gulf Outlet is one of the primary deep draft channels leading to the Port of New Orleans, the second largest port in the United States. Deep draft, towboat, crewboat, fishing and pleasure vessel traffic is very dense in this area. Shoal waters are extensive; collisions, groundings and other types of marine incidents occur frequently on this waterway. The intersection of the Mississippi River Gulf Outlet and the Intracoastal Waterway creates additional problems, due to the entry and exit of slow moving tows at that point.

The Mississippi River is one of the busiest and most hazardous waterways in the United States. Deep draft and towboat traffic is very heavy throughout the area and fishing vessels, crewboats and other types of vessels associated with the offshore oil industry are numerous in the section of the river of New Orleans. Currents are treacherous, particularly during times of high water. Shoaling occurs at many points.

The New Orleans Inner Harbor Navigational Canal is an integral part of the Port of New Orleans and connects the Mississippi River Gulf Outlet, Lake Pontchartrain and the Mississippi River via the Inner Harbor Navigational Canal Locks. The area has heavy vessel traffic of all types.

The Calcasieu Pass Ship Channel is heavily congested with vessel traffic. Deep draft, fishing, oil and mining vessels are numerous in the area. The intersection of the Intracoastal Waterway and the Calcasieu River is a particularly hazardous area due to large tows crossing the waterway at that point. Shoal areas are numerous and there are very few areas which provide sufficient deep water to allow a deep draft vessel to turn or anchor without blocking the channel.

Sabine Pass and the connecting deep water channels are heavily congested with vessel traffic. A large number of deep draft, fishing and towing vessels utilize the waterway. A good portion of the waterway is both a deep draft channel and a part of the Intracoastal Waterway. This creates a hazardous mixture of deep draft vessel traffic and slower towboats with barges. The waterway is also narrow and twisting, requiring many course changes.

The areas of Galveston, Bolivar Roads, and Texas City are subject to heavy vessel traffic congestion. In addition to vessels coming to or from Galveston or Texas City, all vessels entering or leaving Houston, the nation's third largest port, must travel these waters. Vessel congestion is further compounded by the fact that the Intracoastal Waterway intersects the waterway in close vicinity to the intersection of the Houston Ship Channel and Texas City Channel, thus creating an unusually congested area.

The Houston Ship Channel contains very heavy vessel traffic. Deep draft, fishing, and recreational vessels are numerous in the area. Many of the deep draft vessels routinely carry hazardous cargo in bulk, in containers, and as packaged cargo. The combination of large tows and heavy laden ships operating at different speeds on a narrow twisting channel causes significant additional hazards.

Freeport contains heavy vessel traffic, particularly at the intersection of the Intracoastal Waterway and the Freeport Harbor Channel. Deep draft, commercial fishing, and recreational vessels are numerous.

Matagorda Bay contains heavy vessel traffic, particularly at the intersection of the Intracoastal Waterway and the Matagorda Ship Channel. Deep draft, commercial fishing, and recreational vessels are numerous in this area. Deep draft vessel traffic is expected to increase significantly in this area in the next several years.

The Corpus Christi area is congested with heavy vessel traffic. The intersection of the Corpus Christi Channel, the Intracoastal Waterway, and the La Quinta Channel presents an area of particular hazard. Deep draft, commercial fishing, and recreational vessels are numerous throughout the area.

The Brownsville/Port Isabel area is congested with heavy vessel traffic. Commercial fishing vessels are numerous in addition to significant amounts of deep draft ships. This area is also the southern terminus of the Intracoastal Waterway and has a significant amount of towboat traffic. The channel is narrow (60 m.) and shoal areas are prevalent.

Ninth Coast Guard District

The Great Lakes waters are proposed for listing on the basis of their channelwidth and volume of traffic. The specific data for each are summarized below. The number of calls is for vessels greater than twelve feet draft for the year 1975.

(1) Eastern Lake Ontario Approaches to the St. Lawrence Seaway, NY. (4336 commercial passages in 1975)
(2) Buffalo, NY. (245 m. entrance channel, 623 calls)
(3) Erie, PA (75 m. entrance channel. 298 calls)
(4) Conneaut, OH (135 m. entrance. 823 calls)
(5) Ashtabula, OH (180 m. entrance. 415 calls)
(6) Cleveland, OH (230 m. entrance. 135 m. channel, 1306 calls)
(7) Lorain, OH (170 m. entrance. 60 m. channel, 560 calls)
(8) Western Lake Erie (heavy traffic, confined channels, 1745 calls at Toledo)
(9) Detroit River, Lake St Clair, and St. Clair River, MI (heavy traffic, confined channels, 12,152 passages in Detroit River)
(10) Southern Lake Huron, MI (heavy traffic)
(11) Saginaw Bay, MI (numerous shaols, long 120 m. entrance channel. 346 calls)
(12) Alpena, MI (60 m. entrance channel, 305 calls)
(13) Calciti, MI (60 m. entrance channel, numerous calls by limestone carriers)
(14) Straits of Mackinac, MI (heavy traffic, numeous shoals, bridge piers)
(15) Frankfort, Mi (45 m. entrance channel, 677 calls)
(16) Ludington, MI (45 m. entrance channel, 1329 calls)
(17) Muskegon, MI (60 m. entrance channel, 380 calls)
(18) Burns Harbor, IN (120 m. entrance, 238 calls)
(19) Southwestern Lake Michigan (heavy traffic, narrow entances and channels, 1075 calls at Indiana Harbor. 1125 calls at Calument Harbor)
(20) Kenosha, WI (45 m. entrance channel, numerous calls)
(21) Milwaukee, WI (90 m. entrance. 452 calls)
(22) Manitowoc, WI (90 m. entrance. 452 calls)
(23) Kewaunee, WI (30 m. channel. 1068 calls)
(24) Sturgeon Bay and Canal. WI (60 m. channel, 223 calls)
(25) Passages into Green Bay, WI/MI (restricted passages)
(26) Lower Green Bay, WI (75 m. entrance channel, 219 calls)
(27) Menominee, MI (60 m. channel. numerous calls of colliers)
(28) Escanaba, MI (restricted waters. numerous calls)
(29) St. Marys River, MI (90 m. channel, 7597 passages)
(30) Whitefish Bay, MI (heavy traffic. frequently used anchorage, 7597 passages)
(31) Marquette/Presque Isle, MI (restricted waters, 265 calls)
(32) Kéweenaw Waterway, MI (90 m. channel, 62 passages)
(33) Superior, WI and Duluth, MN (120 m. and 75 m. entrances, 1861 calls)
(34) Two Harbors, MN (restricted waters, 366 calls)
(35) Taconite Harbor, MN (120 m. entrance, numerous calls by ore carriers)

Eleventh Coast Guard District

The single entrance to San Diego Harbor is a relatively narrow (180–245 m.) and curving channel which inbound and outbound vessels must transit with particular caution. Home port for over 135 U.S. Navy vessels and a large commercial fishing fleet, there are periods of very high vessel traffic density in the channel and harbor approaches from the sea buoy. Additionally, heavy recreational boating traffic in the channel and within three miles of Point Loma Light produces maneuvering situations which require increased precautions for the safe navigation of vessels of 1600 gross tons or more.

The Los Angeles/Long Beach port complex handles the largest amount of cargo tonnage on the West Coast. All types of cargo, in particular petroleum products, are processed through these two ports. Deep draft vessels are transiting these channels today with a minimum of "under keel clearance". The proximity of anchorages and the complex configuration of the waterways requires maximum maneuverability precautions for vessels of 1600 gross tons and over inside the breakwaters. Both Los Angeles and Long Beach Channels obliquely intersect their respective outer harbor breakwater entrances, requiring very careful vessel alignment inbound and outbound. Both harbors have pilot boarding areas one mile seaward of breakwater entrances in the vicinity of the sea buoys. The Northern and Southern Traffic Separation Schemes converge in this area south of the breakwater in what is now identified as a Precautionary Area.

Port Hueneme is the port of entry for vessels supplying the Naval Construction Battalion. It also is a deep draft port for maritime shipments of lumber, automobiles, and petroleum products. Although the marine traffic density is small, the entrance channel is only 135 meters wide. This restriction provides limited maneuvering room for the vessels which call at this port.

Twelfth Coast Guard District

A substantial number of large vessels routinely transit to and from various points within San Francisco Bay and are constrained to narrow channels in San Pablo Bay, Suisun Bay, Sacramento and San Joaquin Rivers, Oakland Harbor, Richmond Harbor and Southampton Shoal Channel of widths of 90 meters and various limiting depths. In addition, these vessels must routinely transit San Francisco Bay proper which is considered congested due to the significant number of pleasure as well as commercial craft using the waters.

Humboldt Bay is congested by the high volume of small craft which routinely fish in the approach to Humboldt Bay and transit to various moorings within the Bay. Larger vessels are restricted to 90 to 120 meter channels, 8 meters or more in depth.

Thirteenth Coast Guard District

The Coos Bay channel is narrow (90 m.) and requires numerous course changes within its length of more than ten miles. Maneuvering space is restricted to the channel along much of its length.

The Yaquina Bay and River channel is closely bounded by water as shallow as 2.5 meters. The channel is 45 to 90 meters wide and contains a number of sharp turns. The channel in the proposed area is approximately eleven miles long.

The Columbia River provides access to the port of Portland, Oregon, which handles about 2300 passenger, dry cargo, and tanker movements annually, as well as over 15,000 tug or towboat movements. The channel between the mouth of the Columbia River and Portland is 180 meters wide and approximately 90 miles long. It contains numerous bends and in many places is closely bordered by the shore or shoal waters.

Grays Harbor is confined by extensive shoals and tidal flats. The channel is between 60 and 110 meters wide and meanders for approximately 15 miles before reaching Cosmopolis.

The Puget Sound and Rosario Strait area is largely restricted to prescribed channels and routes due to surrounding land masses. Island groupings (such as the American San Juan Islands between Haro and Rosario Straits) and major islands (such as Whidbey, Bainbridge, and Vashon) are distributed along the interior waterways. Tidal currents in the area have exceptionally strong tropic velocities, attaining 4.7 knots in Admiralty Inlet, 5.1 knots in Tacoma Narrows, and 7.2 knots in Deception

Pass. Fog reduces visibility to less than 3 miles over 12 percent of the time in some parts of the interior waterway. A high volume of vessel traffic such as ferries, commercial fishing vessels, towboats, and recreational vessels crosses shipping lanes used by cargo vessels and oil tankers, thereby creating a hazard. Annual vessel movements (excluding ferry crossings) increased from 38,175 in 1975 to 51,023 in 1977. In addition, ferry movements average about 200,000 per year.

Fourteenth Coast Guard District

Mamala Bay, Hawaii, is characterized by a high density of vessel traffic and contains as hazards to navigation numerous small boats, coral reefs adjacent to the channel, a strong westerly current, and large swells in the channel.

Entry into the harbor at Nawiliwili Bay requires several sharp turns after the breakwater has been passed. An inner channel is 35 meters wide.

Kawaihae Harbor is congested with vessel traffic. The entrance to the harbor is guarded by coral reefs extending from the outer side of the breakwater and from the shore to the south. An unlighted mooring buoy exists in the middle of the harbor. Strong tradewinds prevail.

Hilo Bay, which contains heavy vessel traffic, is subject to strong currents NNW and from the Wailoa and Wiluka Rivers after heavy rains. Blonde Reef and the adjacent shoals pose a hazard to navigation.

Apra Harbor in Guam is congested with both naval and commercial vessels, as well as numerous small craft. Anchorage areas placed to the north and the south of the channel, and shoals and submerged coral reefs make navigation hazardous. Because of the strong currents, a ten knot vessel speed is required to enter the channel.

The numerous vessels using Pago Pago Harbor must navigate to avoid Whale Rock, Grampus Rock, and the shoals near Fatu Rock.

Seventeenth Coast Guard District

Tongass Narrows is a heavily traveled eleven-mile long waterway which narrows to 200 meters in places. This area serves as gateway for most vessels entering and leaving Southeast Alaska and for many vessel types range from small recreational and commercial ressels enroute to other areas of Alaska. Vessels to large passenger and tank vessels with the heaviest concentrations experienced during the summer.

Wrangell Narrows is a long, narrow waterway with several course changes and restricted passages of as little as 90 meters in width. Vessels in this heavily traveled area include fishing vessels, large passenger vessels, tugs with tows, recreational boats and various other commercial vessels.

Peril Strait is a long, narrow waterway containing numerous course changes and very restricted passages. In places the navigable waterway narrows to 100 meters and contains strong currents, tide rips, whirlpools, and swirls. Vessel usage includes large passenger vessels, tugs with tows, fishing vessels and other commercial vessels.

Hinchinbrook Entrance is a relatively restricted and environmentally sensitive entrance to Prince William Sound. Traffic in this area includes very large tank vessels in the Trans-Alaska Pipeline trade, tugs with tows and heavy concentrations of fishing vessels. During the winter months, this area is subjected to severe weather.

The waters of Valdez Arm and Port Valdez average in width from three to four miles. Valdez Narrow's width is 1100 meters for approximately two miles. Valdez Narrows is further restricted by Middle Rock which decreases the usable channel width to 825 meters. The majority of vessel traffic consists of very large tank vessels engaged in the Trans-Alaska Pipeline trade and occasional heavy concentrations of fishing vessels. This is an environmentally sensitive area where extreme weather conditions can be experienced during the winter months.

Cook Inlet is a relatively restricted area which has a major industrialized waterfront with large merchant vessels operating next to a heavily populated area. This area experiences extreme tidal ranges, currents and a shifting and shoaling bottom configuration. Additionally, during the winter months, a vessel will encounter severe ice conditions, lack of buoyage and limited daylight.

Evaluation

This proposal has been reviewed under the Department of Transportation's "Improving Government Regulations, Regulatory Policies and Procedures" (44 F.R. 11034, February 26, 1979). As discussed above, this proposal designates the areas in which the requirements of § 164.15 of the Navigation Safety Regulations apply. The impact of the § 164.15 requirements was considered when those requirements were promulgated and was found to be minimal. It has further been determined that the economic impact of this proposal is so minimal as not to require an evaluation.

In consideration of the foregoing, it is proposed that Part 164 of Title 33 of the Code of Federal Regulations be amended by adding a new § 164.16 to read as follows:

§ 164.16 List of confined or congested waters.

The following waters are designated as confined or congested:

(a) First Coast Guard District

(1) *Penobscot Bay, ME.* The waters of Penobscot Bay north of a line drawn from the southermost extremity of Western Ear to Saddleback Ledge Light, thence to Two Bush Island Light, thence to Whitehead Island Light and west of a line from Isle au Haut Light through Crotch Island Light to Deer Isle; including East and West Penobscot Bay, Isle au Haut Bay, Eggemoggin Reach west of the highway bridge at Byard Point, Bagaduce River, and the Penobscot River to Bangor, ME.

(2) *Kennebec River, ME.* The waters of the Kennebec River approaches inside a line drawn from the Cuckholds Light to Seguin Island Light; thence to Fuller Rock Light and north in the Kennebec River to the Bath-Woolwich vertical lift bridge.

(3) *Casco Bay and Portland Harbor, ME.* The waters of Casco Bay inside a line drawn from Fuller Rock Light to Halfway Rock Light, thence to Cape Elizabeth Light, including Portland Harbor.

(4) *Portsmouth Harbor, NH.* The waters of Portsmouth Harbor approaches inside a line drawn from the tower on Sister's Point charted in approximate position latitude 43°04'32" N, longitude 70°40'06" W, to West Sister Buoy 2, thence to Gunboat Shoal Lighted Bell Buoy 1, thence to Concord Point, Portsmouth Harbor; including Piscataqua River to Dover Point.

(5) *Massachusetts Bay, MA.* The waters of Massachusetts Bay inside a line drawn from Eastern Point Light to Newcomb Ledge Lighted Whistle Buoy 1, thence to Boston Lighted Horn Buoy B, thence to Harding Ledge Lighted Bell Buoy 1A, thence to the tower on Point Allerton charted in approximate position latitude 42°18'28" N, Longitude 70°53'08" W, including Gloucester, Salem, and Boston Harbors.

(6) *Cape Cod Canal and Buzzards Bay, MA.* The waters of Cape Cod Canal and Buzzards Bay west of a line drawn from Cape Cod Canal Breakwater Light south to the shoreline, north of a line formed by the general trend of the southern shorelines of the Elizabeth Islands from Woods Hole to Cuttyhunk

Island, and east of a line drawn from the southern tangent of Cuttyhunk Island to the tower on Gooseberry Neck charted in approximate position latitude °29.1′ N, longitude 71°02.3′ W.

(7) *Narragansett Bay, RI.* The waters of Narragansett Bay inside of an east-west line drawn through Beavertail Light between Brenton Point and the Boston Neck shoreline; including the Providence River to the northern extent of Fox Point Reach, Mount Hope Bay, and Fall River Harbor to the Turning Basin.

(b) [Reserved].

(c) Third Coast Guard District—(1) *Eastern Long Island Sound, Fishers Island Sound, and Tributaries, NY and CT.* The waters of Eastern Long Island Sound, the Race, and Fishers Island Sound northwest of a line drawn from Watch Hill Light, Gardners Island Lighted Bell Buoy 1GI, thence to Plan Island Light, thence to Orient Point Light and east of a line drawn from Saybrook Breakwater Light to the lookout tower on Rocky Point charted in approximate position latitude 41°08.3′ N, longitude 72°21.2′ W; including New London Harbor, the Thames River to Norwich, CT, and the Connecticut River to Hartford, CT.

(2) *New Haven Harbor, CT.*. New Haven Harbor and the waters of Long Island Sound north of a line drawn from Jeffrey Point to Branford Reef Light, thence to Townsend Ledge Lighted Gong Buoy 10A; thence to New Haven Light; thence to New Haven West Breakwater West End Light, thence to the southernmost extremity of Oyster River Point.

(3) *Bridgeport, CT.* Bridgeport Harbor and the waters of Long Island Sound north of a line drawn from Stratford Point Light to Bridgeport Harbor Entrance Channel Lighted Gong Buoy 2, thence to Penfield Reef Light.

(4) *Port Jefferson, NY.* Port Jefferson Harbor and the waters of Long Island Sound south of a line drawn from Mount Misery Point Shoal Buoy 11, thence to Port Jefferson Approach Lighted Bell Buoy, thence to Old Field Point Light.

(5) *Western Long Island Sound, NY and CT.* The waters of Long Island Sound west of a line drawn from Greens Ledge Light to Eatons Neck Light and east of the Throgs Neck Bridge; including the connected navigable harbors and the Hutchinson River.

(6) *New York Harbor, NY.* The waters of New York Harbor, Lower Bay and the Atlantic Ocean inside a line drawn from East Rockaway Inlet Breakwater Light to Nantucket Traffic Lane Lighted Whistle Buoy BA, thence to Barnegat Traffic Lane Lighted Whistle Buoy BA, thence to Highlands Light; including the waters of Lower New York Bay, Raritan Bay, Raritan River, Arthur Kill, Upper New York Bay, Gowannus Canal, Morris Canal, Newark Bay, Kill Van Kull, Hackensack River, Passaic River, Flushing Bay, Rockaway Inlet, Jamaica Bay, Westchester Creek, Bronx River, Harlem River, East River west of the Throgs Neck Bridge, and the Hudson River south of the George Washington Bridge.

Note.—The rules in this Part are advisory only for those portions of the New York Harbor Confined or Congested Waters extending outside the navigable waters of the United States.

(7) *Hudson River, NY.* The waters of the Hudson River between the George Washington Bridge and Federal Lock at Troy, New York.

(8) *Delaware Bay and Delaware River, NJ, DL, and PA.* The approaches to Delaware Bay inside a line drawn from Cape May Light to Delaware Bay Approach Lighted Bell Buoy 2A, thence to Delaware Bay Approach Lighted Gong Buoy 5, thence to the shoreline at latitude 38°47.0′ N., longitude 75°05.2′ W; including Delaware Bay and tributaries including Cape May Canal west of the ferry slips, the Delaware River north to the Railroad Bridge at Trenton, NJ, and the Schuykill River to the Spring Garden Street Bridge in Philadelphia, PA.

(d) Fifth Coast Guard District—(1) *Upper Chesapeake Bay, MD.* The waters of Chesapeake Bay north of a line drawn on an axis of 110 true through Thomas Point Light; including Baltimore Harbor, Elk River Channel, and the entire length of the Chesapeake and Delaware Canal.

(2) *Chesapeake Bay and Rappahannock Channel, VA.* The waters of Chesapeake Bay within the Rappahannock Shoal Channel between the Chesapeake Channel Lighted Gong Buoy 39 and Chesapeake Channel Lighted Gong Buoy 45.

(3) *Lower Chesapeake Bay, VA.* The waters of Chesapeake Bay enclosed by lines drawn from Cape Henry Light to Cape Charles Light, thence to Wise Point, from Cape Charles City Jetty Light to York Spit Swash Channel Light 3, thence to Sandy Point at latitude 37°15.6′ N., longitude 76°23.7′ W., thence to Tue Marshes Light, thence to Back River Channel Light 9, from Old Point Comfort Light to Fort Wool Light, and between Little Creek Harbor Jetty Lights 2 and 1.

(4) *York River, VA.* The waters of the York River from Tue Point Light to West Point, VA.

(5) *Hampton Roads and the James and Elizabeth Rivers, VA.* The waters of Hampton Roads west of a line drawn from the Old Point Comfort Light to Fort Wool Light; including the James River to Richmond, VA, and the Elizabeth River to the Newton Park Turning Basin on the Eastern Branch and Gilmerton Turning Basin on the Southern Branch.

(6) *Morehead City Harbor, NC.* The waters of Beaufort Inlet Channel inshore of Beaufort Inlet Channel Lighted Buoys 3 and 4, including the Morehead City Channel and Turning Basin.

(7) *Cape Fear River to Wilmington, NC.* The waters of Bald Head Shoal inshore of Beaufort Inlet Channel Lighted Buoy 3 and the Cape Fear River to Wilmington, NC, including the Turning Basin at Wilmington, NC.

(e) Seventh Coast Guard District—(1) *Winyah Bay, SC.* The waters of Winyah Bay and marked entrance channel shoreward of Winyah Bay Lighted Bell Buoy 2WB and the ship channel in Winyah Bay to the city of Georgetown.

(2) *Charleston Harbor, SC.* The waters of Charleston Harbor and marked entrance channel shoreward of Charleston Lighted Whistle Buoy 2C, the waters of Charleston Harbor and the navigable channels of the Cooper, Ashley and Wando Rivers.

(3) *Port Royal Sound, SC.* The waters of Port Royal Sound and marked entrance channel shoreward of Port Royal Sound Lighted Whistle Buoy 2PR, Port Royal Sound and the Beaufort River to Port Royal.

(4) *Savannah River, GA.* The waters of Tybee Roads and marked entrance channel shoreward of Tybee Lighted Whistle Buoy T and the Savannah River through Savannah to Port Wentworth.

(5) *Brunswick River, GA.* The waters of St. Simons Sound and marked entrance channel shoreward of St. Simons Lighted Whistle Buoy STS, the Brunswick River, Brunswick Harbor (Oglethorpe Bay) and the Turtle River to State Road 303 highway bridge.

(6) *Cumberland Sound and St. Marys Entrance, FL.* The waters and marked entrance channel to St. Marys Entrance shoreward of Lighted Whistle Buoy STM, Cumberland Sound to Kings Bay Upper Turning Basin and the Amelia River to the western end of Rayonier Reach.

(7) *St. Johns River, FL.* The waters of the St. Johns River and marked entrance channel shoreward of St. Johns Lighted Whistle Buoy 2 STJ, Mayport Basin to the St. Johns River, through Jacksonville to the Florida East Coast Railway Bridge.

(8) *Port Canaveral, FL.* The waters of Port Canaveral, the marked entrance channel shoreward of Canaveral Bight Wreck Lighted Buoy WR6, including

Port Canaveral Harbor and turning basin.

Note.—The rules in this Part are advisory only for those portions of the Charleston Harbor, Port Royal Sound, Savannah River, Brunswick River, Cumberland Sound, St. Marys Entrance, and Canaveral Harbor Confined or Congested Waters extending outside the navigable waters of the United States.

(9) *Fort Pierce Harbor, FL.* The waters of Fort Pierce Harbor, and the marked entrance channel shoreward of Fort Pierce Inlet Lighted Whistle Buoy 2, including Fort Pierce Harbor Turning Basin.

(10) *Lake Worth Inlet and the Port of Palm Beach, FL.* The waters of Lake Worth Inlet, the Port of Palm Beach, the marked entrance channel shoreward of Lake Worth Inlet Buoy 2LW, the Lake Worth Channel to Port of Palm Beach, and the Turning Basin.

(11) *Port Everglades, FL.* The waters of Port Everglades and the marked entrance channel shoreward of Port Everglades Lighted Whistle Buoy 1 to Port Everglades Turning Basin, and Intracoastal Waterway southward to Port Laudania.

(12) *Miami, FL.* The waters of Miami Harbor and marked entrance channel shoreward of Miami Lighted Buoy M, Government Cut, Fisher Island Turning Basin, Main Channel to the city of Miami, Dodge Island, Dodge Island Channel and Miami River and channel to NW 36 Street Highway Bridge.

(13) *Key West Harbor, FL.* The waters of Key West and marked entrance channel shoreward of Key West Lighted Whistle Buoy, Key West main ship channel, Key West Harbor to the Turning Basin.

(14) *Bahia de San Juan (San Juan Harbor, PR).* The waters of Bahia de San Juan, the marked entrance channel, and the waters within one nautical mile of Bahia de San Juan Lighted Buoy 1, including San Antonio channel and inner harbor, Army Terminal Channel, Graving Dock Channel and Puerto Nuevo Channel.

(15) *Bahia de Mayaguez, PR.* The waters of Bahia de Mayaguez, the marked entrance channel, and the waters within one nautical mile of Bahia de Mayaguez Lighted Buoy 3.

(16) *Bahia de Guayanilla, PR.* The waters of Bahia de Guayanilla, the marked entrance channel, and the waters within one nautical mile of Bahia de Ponce Lighted Buoy 1.

(17) *Bahia de Tallaboa, PR.* The waters of Bahia de Tallaboa, the marked entrance channel, and the waters within one nautical mile of Bahia de Ponce Lighted Buoy 1.

(18) *Bahia de Ponce, PR.* The waters of Bahia de Ponce, the marked entrance channel, and the waters within one nautical mile of Bahia de Ponce Lighted Buoy 2.

(19) *St. Thomas Harbor, U.S. Virgin Islands.* The waters of St. Thomas Harbor, including East Gregerie Channel, Long Bay and Crown Bay shoreward of a line drawn from Red Point to West Gregerie Channel Lighted Buoy 2, thence to Green Cay.

(20) *Christiansted Harbor.* The waters of Christiansted Harbor, the marked channel, and the waters within one nautical mile of Christiansted Harbor Channel Lighted Buoy 1.

(21) *Limetree Bay, St. Croix, U.S. Virgin Islands.* The waters of Limetree Bay, Krause Lagoon, the marked channels and the waters within 2 nautical miles of Limetree Bay Channel Light 3.

(22) *Boca Grande, Charlotte Harbor, FL.* The waters of Boca Grande and marked entrance channel shoreward of Boca Grande Lighted Bell Buoy 2 to Charlotte Harbor, Port Boca Grande.

(23) *Tampa Bay, FL.* The waters of Tampa Bay, Manatee River, Hillsborough Bay and River, Old Tampa Bay and marked entrance channel shoreward of Tampa Bay Lighted Whistle Buoy.

(f) Eighth Coast Guard—(1) *Pensacola, FL.* The waters of the marked entrance channel shoreward of Pensacola Bay Entrance Lighted Whistle Buoy 1, Caucus Channel, and Pensacola Bay west of the Pensacola Bay Fixed Bridge.

(2) *Mobile, AL.* The waters shoreward of Mobile Bar Lighted Bell Buoy 2 which are located within the following marked navigable channels: Mobile Entrance Channel, Mobile Channel, Lower and Upper Reaches, Pinto Island Reach, Mobile Turning Basin, and Blakeley Island Reach to the Cochran Avenue Bridge (latitude 30°44.0′ N.).

(3) *Pascagoula and Bayou Casotte, MS.* The waters shoreward of Horn Island Pass Entrance Lighted Buoy HIP and the following marked navigable channels: Horn Island Pass Channel, Pascagoula Channel to and including the Pascagoula Channel Turning Basin, and the Bayou Casotte Channel to the Bayou Casotte Channel Range B Front Light.

(4) *Mississippi River Gulf Outlet, LA.* The navigable, marked channel and all adjacent navigable waters exceeding 6 meters in depth at mean low water within one nautical mile of the marked channel from Mississippi River Gulf Outlet Canal Lighted Buoy 2 to its intersection with the Gulf Intracoastal Waterway at latitude 30°0.5′ N., longitude 89°55.3′ W., and from there the Gulf Intracoastal Waterway westward to its junction with the Inner Harbor Navigation Canal.

Note: The rules in this Part are advisory only for those portions of the Mississippi River Gulf Outlet Confined or congested Waters extending outside the navigable waters of the United States (i.e. waters seaward of the Mississippi River Gulf Outlet Canal Lighted Buoy 22).

(5) *Mississippi River, LA.* The navigable marked channel and all adjacent navigable waters exceeding 6 meters in depth at mean low water within one nautical mile of the marked channels from South Pass Lighted Whistle Buoy 2 through South Pass to Head of Passes, from Southwest Pass Entrance Mid Channel Lighted Whistle Buoy SW through Southwest Pass, and from head of passes up the Mississippi River to Thomas Point Light (mile 241.5 AHOP).

(6) *New Orleans Inner Harbor Navigational Canal, LA.* The waters of the New Orleans Inner Harbor Navigational Canal from its junction with the Mississippi River to the Southern Railway Bridge at the northern terminus of the canal.

(7) *Calcasieu Pass Ship Channel, LA.* The waters of the navigable marked channel and all adjacent navigable waters exceeding 6 meters in depth at mean low water within one nautical mile of the marked channels shoreward of Calcasieu Channel Lighted Buoys 27 and 28, Calcasieu Channel, Industrial Canal, Rose Bluff Cutoff, including the navigable waters in the vicinity of Coon Island and Clooney Islands to the Interstate Route 10 Highway Bridge at Lake Charles, LA.

Note: The rules in this Part are advisory only for those portions of the Calcasieu Pass Confined or Congested Waters extending outside the navigable waters of the United States (i.e. waters more than 3 miles south of the Calcasieu Pass Jetties).

(8) *Sabine Pass and Connecting Deep Water Channels, LA/TX.* The navigable marked channel and all adjacent navigable waters within one nautical mile of the marked channel having a depth exceeding 6 meters at mean low water, from Sabine Pass East Jetty Light continuing shoreward to include Sabine Pass Jetty Channel, Sabine Pass Channel, Port Arthur Canal, East Basin, West Basin, Taylor Bayou Turning Basin and connecting waters, Sabine Neches Canal and Neches River to the Interstate Route 10 Highway Bridge (latitude 30°05.7′ N) at Beaumont, and the Sabine-Neches Canal and Sabine River, including the navigable waters surrounding Orange Harbor Island to

the Old Highway 90 Bridge Site (latitude 30°05.6′ N) in Orange.

(9) *Galveston, Bolivar Roads, Texas City, TX.* The navigable marked channel and all adjacent navigable waters within one nautical mile of the marked channel having a depth exceeding 6 meters at mean low water, from Galveston Bay Entrance Channel Lighted Whistle Buoy 1 and continuing shoreward to include the following channels: Galveston Bay Entrance Channel, the Outer Bar Channel, the Inner Bar Channel, Bolivar Roads including the Bolivar Roads Channel, the Galveston Channel to the Pelican Island Drawbridge, the Texas City Channel, Texas City Turning Basin and the Texas City Canal to and including the Texas City Canal Turning Basin.

(10) *Houston Ship Channel, TX.* The navigable, marked channel of the Houston Ship channel and all adjacent navigable waters exceeding 6 meters in depth at mean low water, including Barbours Cut Channel and Turning Basin, Hunting Bayou Turning Point, Sims Bayou Turning Point, Brady Island Turning Point, and the Houston Ship Channel Turning Basin to the T&N Railroad Bridge (longitude 95°17.6′ W).

(11) *Freeport, TX.* The waters of the navigable marked channel shoreward of Freeport Entrance Lighted Whistle Buoy 1, including the Freeport Entrance Channel, Freeport Harbor Channel including the Brazos Harbor up to and including the Upper Turning Basin.

(12) *Matagorda Bay, TX.* The waters of the navigable, marked channel shoreward of Matagorda Ship Channel Lighted Bell Buoy 1, the Sea Bar Channel, the Jetty Channel, and the Matagorda Ship Channel up to and including the Point Comfort Turning Basin and extending to the northern extremity of the Alcoa Bulk Loading Terminal (latitude 28°39.3′ N, longitude 96°33.8′ W).

(13) *Corpus Christi, TX.* The waters of the navigable, marked channel shoreward of Aransas Pass Lighted Buoy 3, including Aransas Pass Channel; and from Aransas Pass Channel, the navigable marked channel and all adjacent navigable waters exceeding 6 meters in depth at mean low water including Corpus Christi Channel, the Corpus Christi Channel Turning Basin, the Industrial Canal, the Avery Point Turning Basin, the Tule Lake Channel and the Chemical Turning Basin, the Tule Lake Turning Basin, the Viola Channel to and including the Viola Turning Basin, and the La Quinta Channel to and including the La Quinta Channel Turning Basin.

(14) *Brownsville/Port Isabel, TX.* The waters of the navigable marked channel shoreward of Brazos Santiago Pass Entrance Channel Lighted Buoy 2 including the Brazos Santiago Pass Entrance Channel, the Lagunda Madre Channel, the Brownsville Ship Channel up to and including the Port Isabel Turning Basin and the East and West Port Isabel East Junction Channels.

(g) Ninth Coast Guard District—(1) *Eastern Lake Ontario Approaches to the St. Lawrence Seaway, NY.* The U.S. waters of Lake Ontario east of a line drawn from East Charity Shoal Light to Galloo Island Light, thence to Stony Point Light.

(2) *Buffalo, NY.* Buffalo Harbor, the Buffalo River, and the U.S. waters of Lake Ontario within 6 kilometers (3.73 statute miles) of Buffalo Harbor Light.

(3) *Erie, PA.* Erie Harbor, Presque Isle Bay, and the waters of Lake Erie within 6 kilometers (3.73 statute miles) of Erie Harbor Pierhead Light.

(4) *Conneaut, OH.* Conneaut Harbor and the waters of Lake Erie within 3 kilometers (1.86 statute miles) of Conneaut Harbor West Breakwater Light.

(5) *Ashtabula, OH.* Ashtabula Harbor and the waters of Lake Erie within 3 kilometers (1.86 statute miles) of Ashtabula Harbor Light.

(6) *Cleveland, OH.* Cleveland Harbor and the waters of Lake Erie within 6 kilometers (3.73 statute miles) of Cleveland Harbor West Pierhead LIght.

(7) *Lorain, OH.* Lorain Harbor, the Black River, and the waters of Lake Erie within 3 kilometers (1.86 statute miles) of Lorain Harbor Light.

(8) *Western Lake Erie, OH/MI.* The U.S. waters of Lake Erie west of longitude 82°35′W including Sandusky, Toledo, and Monroe Harbors.

(9) *Detroit River, Lake St. Clair, and St. Clair River, MI.* The U.S. waters of the Detroit River, Lake St. Clair, and St. Clair River.

(10) *Southern Lake Huron, MI.* The U.S. waters of Lake Huron within 16 kilometers (9.94 statute miles) of Fort Gratiot Light.

(11) *Saginaw Bay, MI.* The waters of Saginaw Bay southwest of a line drawn between Port Austin Reef Light and Tawas Light including Bay City Harbor and the Saginaw River to the Holland Avenue Bridge.

(12) *Alpena, MI.* The Thunder Bay River and the waters of Thunder Bay within 5 kilometers (3.11 statute miles) of Alpena Light.

(13) *Calcite, MI.* Calcite Harbor and the waters of Lake Huron within 3 kilometers (1.86 statute miles) of Calcite Breakwater Light.

(14) *Straits of Mackinac, MI.* The waters of the Straits of Mackinac, Lake Huron, and Lake Michigan west of a line drawn from Hammond Bay Harbor of Refuge East Breakwater Light to Spectacle Reef Light, thence to Bois Blanc Light, thence north to Marquette Island (latitude 45°57.3′ N, longitude 84°25.2′ W) and east of a line drawn from Seul Choix Point Light to St. James Light, thence a straight line through Ile Aux Galets Light to the shoreline.

(15) *Frankfort, MI.* Lake Betsie and the waters of Lake Michigan within 3 kilometers (1.86 statute miles) of Frankfort North Breakwater Light.

(16) *Ludington, MI.* Pere Marquette Lake and the waters of Lake Michigan within 3 kilometers (1.86 statute miles) of Ludington North Breakwater Light.

(17) *Muskegon, MI.* Muskegon Lake and the waters of Lake Michigan within 3 kilometers (1.86 statute miles) of Muskegon North Breakwater Light.

(18) *Burns Harbor, IN.* Burns Harbor and the waters of Lake Michigan within 3 kilometers (1.86 statute miles) of Muskegon North Breakwater Light.

(19) *Southwestern Lake Michigan, IL/IN.* The waters of Lake Michigan southwest of a line drawn from Burns Harbor West Light to Grossepoint Light; including Chicago Harbor, Calument Harbor and River, Indian Harbor, Buffington Harbor, and Gary Harbor.

(20) *Kenosha, WI.* Kenosha Harbor and the waters of Lake Michigan within 3 kilometers (1.86 statute miles) of Kenosha Breakwater Light.

(22) *Manitowoc, WI.* The Manitowoc River and the waters of Lake Michigan within 3 kilometers (1.86 statute miles) of Manitowoc Breakwater Light.

(23) *Kewaunee, WI.* Kewaunee Harbor and the waters of Lake Michigan within 3 kilometers (1.86 statute miles) of Kewaunee Breakwater Light.

(24) *Sturgeon Bay and Canal, WI.* Sturgeon Bay, Sturgeon Bay and lake Michigan Ship Canal, the waters of Lake Michigan within 5 kilometers (3.11 statute miles) of Sturgeon Bay Canal Light, and the waters of Green Bay within 5 kilometers of Sherwood Point Light.

(25) *Passages into Green Bay, WI/MI.* The waters of lake Michigan, Green Bay, Poverty Island Passage, St. Martin Island Passage, Rock Island Passage, Detroit Island Passage, and Porte des Mortes Passage west of a line drawn from Cana Island Light to Porte des Mortes Entrance Lighted Bell Buoy, thence to Fisherman Shoal Lighted Bell Buoy 6, thence to Poverty Island Light; and east of a line drawn from the eastern tangent of Little Summer Island to St. Martin Island Light, thence to

Boyer Bluff Light, thence to the western tangent of Deathdoor Bluff.

(26) *Lower Green Bay, WI.* The waters of Green Bay south of Green Bay Entrance Channel Lighted Bell Buoy 2 including Green Bay Harbor, and the Fox River to the Turning Basin at De Pere.

(27) *Menominee, MI.* The Menominee River and the waters of Lake Michigan within 3 kilometers (1.86 statute miles) of Menominee Pierhead Light.

(28) *Escanaba, MI.* The waters of Little Bay De Noc and its tributaries north of Escanaba Light.

(29) *St. Marys River, MI.* The waters of Lake Huron within 3 kilometers (1.86 statute miles) of De Tour Reef Light, De Tour Passage, and the U.S. waters of the St. Marys River to Whitefish Bay.

(30) *Whitefish Bay, MI.* The U.S. waters of Whitefish Bay south of Whitefish Point Light.

(31) *Marquette/Presque Isle, MI.* The waters of Marquette Bay, Presque Isle Harbor, and the waters of Lake Superior within 3 kilometers (1.86 statute miles) of Marquette Light.

(32) *Keweenaw Waterway, MI.* The waters of Keweenaw Bay within 3 kilometers (1.86 statute miles) of Keweenaw Waterway Lower Entrance Light, Portage River, Portage Lake, Keweenaw Waterway, and Lake Superior within 3 kilometers of Keweenaw Upper Entrance Light.

(33) *Superior, WI and Duluth, MN.* Duluth-Superior Harbor, the St. Louis River to St. Louis River Buoy 38, and the waters of Lake Superior within 5 kilometers (3.11 statute miles) of either Superior Entry South Breakwater Light or Duluth Harbor South Breakwater Light.

(34) *Two Harbors, MN.* Agate Bay and the waters of Lake Superior within 3 kilometers (1.86 statute miles) of Two Harbors East Breakwater Light or Duluth Harbor South Breakwater Light.

(35) *Taconite Harbor, MN.* The waters of Taconite Harbor and the waters of Lake Superior within 3 kilometers (1.86 statute miles) of the Taconite Harbor East Pierhead Light 2.

(h) Eleventh Coast Guard District—(1) *San Diego, CA.* San Diego Harbor and the waters within a three nautical mile radius of Point Loma Light.

(2) *Los Angeles/Long Beach, CA.* Los Angeles Harbor, Long Beach Harbor, San Pedro Bay and the waters of the Los Angeles/Long Beach Precautionary Area described by a line drawn from the shoreline at latitude 33°41.7′ N, longitude 118°02.8′ W, thence to latitude 33°37.7′ N, longitude 118°05.4′ W, thence to latitude 33°37.7′ N, 118°17.6′ W, thence to Point Fermin Light.

Note: The rules in this Part are advisory only for those portions of the Los Angeles/Long Beach Confined or Congested Waters extending outside the navigable waters of the United States, (ie. waters more than 3 miles from shore or the San Pedro Breakwater).

(3) *Port Hueneme, CA.* Port Hueneme Harbor and the waters of the approach to Port Hueneme within three nautical miles of the seaward extremity of the Port Hueneme Breakwaters.

(i) Twelfth Coast Guard District—(1) *San Francisco Bay, CA and Tributaries.* The waters of San Francisco Bay, including the San Francisco waterfront, Oakland Outer Harbor, Oakland Middle Harbor, Oakland Inner Harbor, Brooklyn Basin, San Leandro Bay Channel, Alameda Naval Air Station Channel, San Pablo Bay, Mare Island Strait, Carquinez Strait, Suisun Bay, New York Slough, San Joaquin River up to and incuding Stockton, Sacramento Channel, Sacramento River, Upper Sacramento River, and the waters of the San Francisco Main Ship Channel from Lighted Bell Buoy 1 through the Golden Gate.

Note: The rules in this Part are advisory only for those portions of San Francisco Confined or Congested Waters extending outside the navigable waters of the United States.

(2) *Humboldt Bay, CA.* Humboldt Bay, including the navigable channels of Arcata Bay and South Bay and the waters within one nautical mile of Humboldt Bay Entrance Light 4.

(j) Thirteenth Coast Guard District—(1) *Coos Bay, OR.* The waters of Coos Bay, inside a line drawn across the seaward, above water extremities of Coos Bay entrance jetties and eastward to Isthmus Slough.

(2) *Yaquina Bay, OR.* The waters of Yaquina Bay, inside a line drawn across the seaward, above water extremities of Yaquina Bay entrance jetties, and Yaquina Bay eastward on the Yaquina River to Toledo, Oregon.

(3) *Columbia River, OR/WA.* The waters of the Columbia River inside a line drawn across the seaward, above water extremities of the Columbia River jetties and easterly to the Vancouver, Washington bridge, and the Willamette River including Portland, Oregon.

(4) *Grays Harbor, WA.* The waters of Grays Harbor inside a line-drawn across the seaward, above water extremities at the Greys Harbor entrance jetties, and the Chehalis River to Cosmopolis, Washington.

(5) *Puget Sound and Rosario Strait, WA.* The United States navigable waters bounded by latitudes 48°24′N to 48°48′N and longitudes 122°26′W to 123°17′W, and the waters of Similk Bay, Skagit Bay, and all waters of Puget Sound and its tributaries lying south and east of a line drawn between Point Partridge and Point Wilson at the entrance to Admiralty Inlet.

(k) Fourteenth Coast Guard District—(1) *Mamala Bay, HI.* The waters of Mamals Bay inside of a line drawn from Barbers Point Light to Diamond Head Light including Honolulu Harbor and Kewalo Basin and excluding Pearl Harbor.

(2) *Nawiliwili Bay, Kauai, HI.* The waters of Nawiliwili Bay inside a line drawn between Carter Point and Ninini Point.

(3) *Kawaihae Harbor, Hawaii, HI.* The waters of Kawaihae Harbor and marked channel inside of Kawaihae Harbor Entrance Lighted Buoy 1 and 2.

(4) *Hilo Bay, Hawaii, HI.* The waters of Hilo Bay inside a line drawn from Paukaa Point Light and the northeast tangent of the Hilo Breakwater.

(5) *U.S. Territory of Guam.* The waters of Apra Outer Harbor inside a line drawn from the westernmost extremity of Orote Island to the westernmost extremity of Glass Breakwater excluding the Apra Inner Harbor Restricted Area described in 33 CFR 207.808.

(6) *Pago Pago Harbor, American Samoa.* The waters of Pago Pago Harbor inside a line drawn from Fatu Rock to Breakers Point Light.

(l) *Seventeenth Coast Guard District*—(1) *Tongass Narrows, AK.* The waters of Tongass Narrows north of a line bearing 270° true from Mountain Point Light and south of a line bearing 090° true from Rosa Reef Light.

(2) *Wrangell Narrows, AK.* The waters of Wrangell Narrows north of a line bearing 280° true from Point Alexander Light and southwest of a line bearing 160° true from Prolewy Point (latitude 56°50′07″ N, longitude 132°56′22″ W) through Wrangell Narrows Channel Lighted Bell Buoy 62.

(3) *Peril Strait (Kakul Narrows, Sergius Narrows, and Adams Channel), AK.* The waters of Peril Strait, including Kakul Narrows, Sergius Narrows, and Adams Channel, north of a line bearing 120° true from Round Island through Kakul Rock Buoy 2 and south of a line bearing 270° true from Povorotni Island Light.

(4) *Hinchinbrook Entrance, AK.* The waters of Hinchinbrook Entrance north of a line drawn from Cape Hinchinbrook Light to Seal Rocks Light, thence 270° true to the shoreline of Montague Island and south of a line drawn from Bear Cape Light 2, 342° true to Middle Point.

Note.— The rules in this Part are advisory only for those portions of the Hinchinbrook Entrance Confined or Congested Waters extending outside the navigable waters of the United States (i.e., waters more than 3 miles south of the baseline from Cape Hinchinbrook Light to Schooner Rock or the southern shoreline of Montague Island).

(5) *Valdez, AK.* The waters of Port Valdez and Valdez Arm north of a line drawn from the southwestern tip of Reef Island (latitude 60°50′40″ N, longitude 146°50′40″ W) to Glacier Island Light.

[CGD 77–197S]
[FR Doc. 79–11778 Filed 4–13–79; 8:45 am]
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Federal Register
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Monday, April 16, 1979

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE FR, 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
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DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
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Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

***NOTE: As of January 1, 1979, the Merit Systems Protection Board (MSPB) and the Office of Personnel Management (OPM) will publish on the Tuesday/Friday schedule. (MSPB and OPM are successor agencies to the Civil Service Commission.)**

REMINDERS

The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.

Rules Going Into Effect Today

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16703 3–15–79 / Massachusetts; implementation of air quality plans

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Food and Drug Administration—

16007 3–16–79 / Criteria for adequate and well-controlled investigations of new animal drugs

NUCLEAR REGULATORY COMMISSION

15998 3–16–79 / Waiver or reduction of fees for searching and reproduction of records

TRANSPORTATION DEPARTMENT

Coast Guard—

15702 3–15–79 / Broad Canal, Mass.; drawbridge operations

Federal Aviation Administration—

12635 3–8–79 / Airworthiness directives, Bell Model 212 Helicopters

15654 3–15–79 / Operations review program provisions

15648 3–15–79 / Parts manufacturer and export airworthiness approval

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

Last Listing Apr. 12, 1979

Advance Orders are now Being Accepted for Delivery in About 6 Weeks

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